

	YR.	NUMBER	MO DAY YEAR							23	\$ 12	OTHER	NUMBER	DEM.	YR.	NUMBER
1085/4	76	0239	6	1	76	3	710	1	11				8510	P	76	0239-C

PLAINTIFFS	DEFENDANTS
<p>CHARLES BARNES, an individual, and JESSE BEAUCHAMP, an individual and STEVE ECKER, an individual and PAUL EIDSON, an individual and HENRY GANN, an individual and RANDALL L. McDONALD, an individual and THEODORE E. SMITH, an individual</p> <p>Addit. pltfs.: JIM QUINTON, JOHN H. LLOYD III, STEPHEN A. HINTON, LARRY E. STEEL, EVERETT F. PARKER, JAMES MONSOUR, J. W. HOWARD, JR., and GARY L. BLOW, individually.</p>	<p>AMERICAN PROFESSIONAL SECURITY CORPORATION, an Oklahoma Corporat tion, successor corporation to Tulsa K-9 Security, Inc. and CHARLES RIGGS, d/b/a, Tulsa K-9 Security and Tulsa K-9 Security, Inc, an Oklahoma Corporation, and RUS ROBINSON, an individual</p>
CAUSE	

<p>29 USC Sec. 207 (a) Sec. 7 (a) 29 USC Sec. 206 (a) Sec. 6 (a)</p>
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ATTORNEYS	
Lloyd K. Holtz, Bill Gaddis 1700 Fourth National Bank Building Tulsa, Oklahoma 74119 583-2626	Rus Robison, pro se
	P. Thomas Thornbrugh (American Prof. 1201 Mid-Continent Bldg. Security Tulsa, OK 74103 Corp. and 583-5896 Charles Riggs d/b/a
	Wm. J. Dale (Riggs & Robinson) 2624 E. 21st St., Suite 5 Tulsa, Ok. 74114 749-9994
	Terry M. Thomas (Charles Riggs) GABLE, GOTWALS, RUBIN, FOX. JOHNSON & BAKER 20th Floor, Fourth Nat'l Bk. Building Tulsa, Oklahoma 74119 582-9201

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	7-1-76
				JS-6	6-1-79

DATE 1976	NR.	PROCEEDINGS
6-1	1.	Complaint, filed. ph Summons issued.
6-25		Summons, ret. & filed: served Charles Riggs, Tulsa 6-23-76; unserved as to Russ Robinson, Tahlequah, Tulsa K-9 Security Inc., Tulsa and American Professional Security Corp., Collinsville. (USM \$17.20)g
7-8	2.	Correspondence from Rus Robison to Lloyd K. Holtz, re: Robison's involvment in the case, filed. ph
7-9	3.	Appearance of P. Thomas Thornbrugh as atty for defts. American Prof. Security Corp. and Charles Riggs, etc., filed. ph
7-9	4.	Appl. of deft. American Prof. Security Corp. and Charles Riggs, etc. for ext. of time within which to plead or ans., filed. ph otag
7-12	5.	Order, filed, granting defts. American Prof. Security Corp. and Charles Riggs, etc. until 7-29-76 to ans. the complaint, filed. (HDC-J)PH cps mld
7-13		First Alias- Summons, ret & filed: Served Russ Robinson on 7-2-76 at Oklahoma City, OK; served Tulsa K-9 Security, Inc., Registered Agent, Russ Robison on 7-2-76 at Oklahoma City, OK. (USM \$12.96)ph
7-29	6.	Motion of all defts. (except Robison) to dismiss class action, filed.rm
7-29	7.	Brief in support of mo/dismiss class action, filed. rm
7-29	8.	Motion of all defts. (except Robison) to dismiss, filed. rm
7-29	9.	Brief in support of mo/dismiss, filed. rm
7-30	MO:	Ordered by the Ct. that pltfs. are granted 10 days in which to respond to defts. mo/dismiss class action and mo/dismiss.(HDC-J)rm-letter
8-10	10.	Pltf's application for ext. of time to file resp. to mo/dismiss, filed.ph otag
8-10	11.	Order granting ext. of time within which to file resp. brief, filed, granting pltfs. until 8-18 to resp. to mo/dismiss. (HDC-J)hm (copies mailed)
8-18	12.	Pltfs' resp. to defts' motion to dismiss and brief in support of defts' resp., filed. ph
8-19	13.	Pltfs' resp. to defts' mo/dismiss class action and brief in support thereof, filed. ph
8-19	14.	Pltfs' brief in support to defts' motion to dismiss class action, filed. ph
11-17	15.	Order, filed, defts' motion to dismiss class action should be overruled at this time; all unnamed employees are hereby given twenty (20) days within which to file a consent in writing in this Court; further that defts' motion to dismiss is overruled.s (HDC-J) cps. mld.
11-19	16.	Appl. and Motion to withdraw as atty for defts. American Security Corp. and Charles Riggs, filed. ph otag
11-22	MO:	Case set for hrg. on P. Thomas Thornbrugh's motion to withdraw as atty of record for defts. American Prof. Security, Charles Riggs d/b/a Tulsa K-9 Security and Tulsa K-9 Security, for 1-6-77 at 9:00 a.m. (HDC-J)ph cps mld
12-1	17.	Defts' American Prof. Security Corp, and Charles Riggs, d/b/a Tulsa K-9 Security and Tulsa K-9 Security, appl. for ext. of time to ans., filed. ph otag
12-1	18.	Order, filed, granting defts. American Prof. Security, Charles Riggs, etc. until 1-10-77 to ans. the complaint. (HDC-J)ph cps mld
12-7	19.	Pltfs' appl. for ext. of time to ans. and comply with order of Court dated 11-17-76, filed. ph
12-13	20.	Order, filed, granting pltfs. to 12/27/76 to furnish written consents. (HDC-J)rm-copies mailed
12-27	21.	Request by addit. party pltfs. to be included in Class Action, filed. ph
12-29	MO:	It is ordered by the Court that the deft. is granted 10 days to resp. to request by addit. party pltfs. to be included in Class Action. (HDC-J)PH cps mld

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 76-C-239-C
Charles Barnes		American Prof. Security	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1-6-77	MO:	Case called for hearing on deft. counsel Thornbrugh's mo/withdraw as atty. of record for defts. Statements made. Court directs Clerk and Mr. Thornbrugh to give notice to deft. that he has 20 days in which to retain new counsel & that the order sustaining deft's mo/withdraw shall become effective 20 days from this date. Pltf's request to add addit. party pltf's. sustained & pltf. granted leave to amend complaint within 20 days. (HDC-J)hm	
1-26	MO:	Ordered by the Court that upon request of deft. Riggs & no obj. from pltf., the time in which he is to obtain new counsel is extended to 2-2-77 & Mr. Thornbrugh's mo/withdraw is given same extension. (HDC-J)hm	
1-31	22.	Amended Complaint, fld. v , Adding party plaintiffs.	
2-3	MO:	Ordered that Mr. Thornbrugh respond within 10 days to letter received by the Ct. from Charles Riggs, a deft., in regard to counsel. (HDC-J)hm (letter written)	
2-14	MO:	Ordered that mo/Thornbrugh to withdraw as atty. for certain defts be held for determ. at pre-trial or such time as deft. Riggs has other counsel. (HDC-J)ph ltr mld	
2-15	22.	Appl. of defts. American Prof., Riggs & Tulsa K-9 Security for ext. of time to answer amended complaint, filed. rm(0 to J)	
2-16	23.	Order granting enlargement of time, filed, granting defts. 30 days from 2-10-77 to plead or ans. the amended complaint. (HDC-J)hm (copies mailed)	
3-14	24.	Ans. of defts. American Prof. Sec. Corp., Charles Riggs, d/b/a etc. to amended complaint, filed. ph	
4-18	MO:	Case set for pre-trial hearing 6-3-77 at 9:30 A.M. (HDC-J)jj	
4-27	MO:	Ordered, that pursuant to suppl. to pre-trial docket, parties are advised that pre-trial memo must be filed with the ct. no later than 5/27/77. (HDC-J) njb -- notices mld.	
5-26	--	Deposition of Charles Riggs taken on 5-11-77 at Tulsa, OK, filed. (S. Shaw-LSR)PH (\$91.50 pd by pltf's.)	
5-26	25.	Pltf's' request to Clerk to enter default judgment against the deft. Rus Robinson, filed. Default entered. (JCS-CC)ph (Judgment to J	
5-26	26.	Affidavit of Lloyd K. Holtz, filed. ph	
5-27	27.	Notice of taking depositions of Linda Scase at Tulsa, OK, on 6-1-77 at 2:00 p.m., filed. ph	
6-2	28.	Motion of pltf. for leave to file amended complaint, with affidavit of Lloyd K. Holtz and proposed 2nd Amended complaint, filed. rm	
6-3		Pre-trial conf. held. Parties rep. Statements made. Pltf. mo/default judg. against deft. Robinson stricken. Pltf. mo/amend complaint granted. Pltf. to prepare proper order granting amendment. Deft. Robinson to be served w/2nd Amended complt. and all defts. allowed to answer. Deft. counsel's mo/withdraw granted. Thornbrugh directed to advise client Riggs and Riggs granted 20 days to employ other counsel. Order allowing withdrawal signed and filed in open court. Pltf. mo/class action obj. by deft. Ct. grants pltf. 30 days to submit names of addl. class participants. Joint appl. for cont. of pre-trial granted. (HDC-J)rm (Amal in file - file when order signed)	
6-3	29.	Appl. of Thornbrugh to withdraw as attorney for defts. Americ. Pro. and Charles Riggs d/b/a Tulsa K-9, filed. rm	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 76-C-239-C
Charles Barnes		American Professional Sec.	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1977 6-3	30.	Order, filed, granting leave for P. Thomas Thornbrugh to withdraw as counsel for defts. American Prof. and Charles Riggs dba Tulsa K-9.(HDC-J)rm-copies mailed	
6-3	31.	Joint appl. of parties for cont. of pre-trial, filed. rm	
6-3	32.	Order, filed, striking pre-trial to be reset by ct.(HDC-J)rm-copies md.	
6-3	33.	Order, filed, granting pltfs. leave to file second amended complaint and that defts. Charles Riggs, Rus Robinson and American Prof. Sec. Corp. be allowed 20 days to appear or ans. (HDC-J)ph cps mld	
6-3	34.	Pltfs' second amended complaint, filed. ph	
6-23	35.	Entry of appearance by Wm. J. Dale for deft. Robinson & Riggs, and mo/ext. of time to ans. pltf. 2nd amended compltf., filed.rm(0 to J)	
6-24	36.	Order, fld., that Defts. Chas. Riggs and Rus Robinson are granted 20 days from this date to ans. pltfs.' 2nd amended compl. (HDC-J)v -cps. mld.	
7-12	--	Deposition of Linda Scace taken on 6-1-77 at Tulsa, OK, filed. ph (S.L. Shaw,LSR) (\$108.00 pd by pltfs. & \$43.50 pd by defts.)	
7-13	37.	Defts' motion to strike w/brief and request to extend the time for answering pltfs' second amended complaint in order to hear arguments and consider defts' motion to strike., filed. ph	
7-13	MO:	It is ordered by the Ct. that the pltf. file a resp brief within 10 days to the defts' motion to strike and req. to extend time for ans. pltfs' second amended complaint in order to hear arguments and consider defts' motion to strike. (HDC-J)ph ltr mld	
7-25	38.	Pltfs' appl. for 10 days to respond to defts' mot. to strike, fld.k	
7-27	39.	Order, filed, granting pltfs. 10 days to plead or ans. defts. motion to strike.(HDC-J)rm-copies md. to movant	
8-3	40.	Pltf. response to defts. mo/strike, filed. rm	
8-3	41.	Brief in support of response to mo/strike, filed. rm	
10-19	42.	Order, fld., that defts.' mot. to strike is overruled. Deft. is given 15 days to ans. pltfs.' 2nd Amended Compl. (HDC-J)v -cps. mld.	
11-2	43.	Ans. of defts. American Prof. Security Corp. Charles Riggs d/b/a Tulsa, K-9 Security and Tulsa K-9 Security, Inc., to the second amended complaint, filed. ph	
11-9	44.	Answer of deft. Rus Robinson, w/leave granted to file out of time, filed. (HDC-J)hm	
11-15	MO:	Case set for PT hrg. 2-2-78 at 9:00 a.m.; disc. to be complete by 1-23-78; PTO or PT memo due 1-25-78. (HDC-J)hm	
11-21	MO:	Case set for J/T 5-15-78 at 9:30 a.m.; trial briefs, req. instructions & req. voir dire due on or before 5-2-78. (HDC-J)hm (notices mailed)	
11-21	45.	Pltf's req. for admissions from defts. American Security Corp., et al, filed. ph	
12-09	46.	Mot. to quash & brief in support, fld. by defts. v	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 76-C-239-C Sheet 3, Page 5 PAGE XXXXX OF XXXXX PAGE 56
Charles Barnes, et al.		American Prof. Security Corp., et al.	
DATE	NR.	PROCEEDINGS	
12-09	MO:	Ordered by the Court that Pltfs. are granted 10 days from this date to file their response to the Mot. to Quash fld. by Defts. (HDC-J)v -ltrs mld.	
12-22	47.	Pltfs' resp. to defts' mo/quash, filed. ph	
12-30	48.	Pltfs' req. for admissions from defts., AMERICAN PROFESSIONAL SECURITY CORP., et al, filed. ph	
1978			
1-10	49.	Order, filed, that defts' motion to quash pltfs' request for admissions is sustained. Pltfs. are granted until 1-2-78 to amend their request for admissions. (HDC-J)k cps mld	
1-26	50.	Pltf's proposed PT order, filed. hm	
1-27	51.	Defts' obj. to pltfs' request for admissions, filed. ph	
1-27	52.	Brief in support of obj. to pltfs' req. for adm., filed. ph	
2-2	MO:	PT hrg. held. Statements made. Parties to enter into stip. regarding no. of hrs. pltfs. worked & amt. of liability, if any. Parties waive jury, but case to be kept on 5-15 docket as NON-JURY. Deft's proposed PT order filed in open court. Deft. directed to file brief on question of whether defts. are covered by FLSA & on Mr. Robinson's personal responsibility within 30 days; pltf. to respond within 15 days thereafter. Pltf. to prepare PT order within 10 days. (Case possibly to submitted on briefs & stip., & parties to notify Court whether a trial is necessary.) (HDC-J)hm	
2-2	53.	Defts' proposed PT order, filed in open court. (HDC-J)hm	
2-15	54.	Pltf's appl. for ext of time to submit joint pre-trial order, filed. (O to J)	
2-15	55.	Order, filed, granting pltfs. until 2-21-78 to file joint pre-trial order. (HDC-J)ph cps mld	
2-21	56.	Joint pre-trial order, filed. ph (HDC-J)	
3-7	57.	Defts' brief, filed. ph	
3-22	58.	Pltfs' motion for ext of time to file pltfs' response to brief, filed. ph (O to J)	
3-23	59.	Order, filed, granting pltfs. to 4/6/78 to file response to defts. brief. (HDC-J)rm-copies to movant	
4-10	60.	Brief of pltf., filed. rm	
5-10	61.	Pltf's appl. for continuance of trial setting of 5-15-78, filed. ph (O to J)	
5-10	62.	Order, filed, that case is stricken from trial docket of 5-15-78 to be reset. (HDC-J)ph cps mld	
3-26-79	MO:	Case is set for N/J trial on 5-2-79, at 9:30 A.M, Trial briefs, sugg. F/F & C/L due on or before 4-20-79. (HDC-J)b nts mld	
4-27	63	Consolidated PTO, filed. (HDC-J)k cps mld	
4-27	---	Return on service of civil subpoenas, filed. Served Charles Sturm, Dept. of Labor, on 4-27-79 at Tulsa, OK, by Winford Mike Warner; unable to serve Linda Scace (deceased).k	
4-30	64	Amendment to consolidated PTO, filed. (HDC-J)k cps to Holtz	

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-239</u> CORP et al PAGE ____ OF ____ PAGES
CHARLES BARNES et al.		AMERICAN PROFESSIONAL SECURITY	
DATE	NR.	PROCEEDINGS	
1979			
5-1	--	Return of service of civil subpoena, fld. Served Ken Nix at McCurtain OK, on 4-30-79, by W. Mike Wanen.	
5-1	65	Pltfs' suggested findings of fact & conclusions of law, fld.ra	
5-2	Min	Case called for non-jury trial. Pltfs.rep. Defts.neither present nor rep. Pltfs. announce ready & state defts. do not desire to resist the compl. & agree to a default judgment being taken. Ct. states that deft. counsel had phoned Ct. & stated that defts. had no defense in case & consented to having judg. entered in favor of pltfs. Ct. declares there is a default by defts. & enters default judgment. Judg. w/ affidavit of Lloyd Holtz approved & filed in open Ct. Pltfs to file appl. for atty. fees, if deft. will not agree to an amt. Deft. to be given 10 days to obj. Pltfs. to advise whether hrg. is necessary. (HDC-J) (GRD-RPR)k	
5-2	66	Affidavit of Lloyd K. Holtz of amount due, filed in open Court.k	
5-2	67	Default Judgment, filed & entered, that pltfs. recover judgment against defts. in the amt. of \$42,894.02, plus interest at 10% per annum plus a reasonable attys' fee, and for costs. (HDC-J)k	
5-7	68	Pltfs' bill of costs in amt. of \$324.66, filed. Clerk to tax costs on 5-15-79 at 10:00 a.m. (JCS-Clk)k	
5-7	69	Pltfs' notice of costs hrg. before the Clerk, filed.k ntc by pltfs.	
5-10	70	APPLICATION for atty fees by pltf. b O to J	
5-11	71	ORDER granting pltf. counsel, Lloyd Holtz, \$10,000 atty fee. (HDC-J)k cps/mvt	
5-16	---	Costs taxed in amt. of \$324.66 in favor of pltfs. (JCS-Clk)k	
5-2-80		DEPOSITIONS returned to counsel for pltf. g	
1981 8-25	72	APPLICATION of pltf for order directing jmn't debtor to ans. concern property.(O to J)jc	
8-25	73	CERTIFICATE OF mailing of #72. jc	
8-28	74	ORDER directing jmn't debtor to ans. concern. property; (HDC-J)jc (c/pltf) before MAG 9-15-81 at 10:00 a.m.	
9-8	75	LETTER from Russ L. Robinson stating he is not judgment debtor. hm	
9-15	MIN	Defendant sworn & testified & recognized back on 9-22-81 at 10:00a.m. (RSR-MAG) bs	
9-17	--	RETURNS (2) on Orders serving Charles Riggs on 9-4-81 and serving Rus Robinson on 9-14-81. (FEES:\$ 8.68) dm	
10-20	76	NOTICE by deft, Charles A. Riggs of automatic Stay pending Bkrptcy proceeding #81-01134. jc	

CIVIL DOCKET CONTINUATION SHEET

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CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	